# Indiana Civil Rights Commission AGENCY MONTHLY REPORT MAY 2013



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## Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries	303	263	288	359	342	2010	2010	2010	2010	2010	2010	2010	1555
Number of Complaints Drafted	66	77	81	113	99								436
% of inquiries drafted	22%	29%	28%	31%	29%								28%
Employment	54	60	66	83	81								344/79%
Housing (Real Estate)	4	2	7	10	3								26/6%
Public Accommodation	7	12	4	13	10								46/11%
Credit	0	0	0	0	0								0/0%
Education	1	3	4	7	5								20/5%
Unknown	0	0	0	0	0								0/0%
Number of Complaints Formalized	63	56	65	88	83								355
Employment	47	39	43	59	59								247
Transferred from EEOC*	3	0	0	0	2								5
Housing (Real Estate)	9	7	14	9	13								52
Transferred from HUD**	3	2	5	1	2								13
Public Accommodation	6	8	4	14	10								42
Credit	0	0	0	0	0								0
Education	1	2	4	6	1								14

<sup>\*</sup>EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

<sup>\*\*</sup>Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

## Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to
	2013	2013	2013	2013	2013	2013	2013	2013	2013	2013	2013	2013	Date
Total Number of Inquiries by Region	303	263	288	359	342								1555
Region 1	32	23	26	34	35								150
Region 2	23	26	30	29	27								135
Region 3	17	23	17	18	27								102
Region 4	10	9	9	18	11								57
Region 5	135	122	131	169	158								715
Region 6	25	17	19	21	33								115
Region 7	8	14	10	24	10								66
Region 8	18	8	12	18	18								74
Region 9	25	17	30	21	16								109
Unknown/Out of State	10	4	4	7	7								32

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

**Region 9:** Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

**Unknown**: If the location of the inquiry cannot be identified.

# Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
% of Aged Cases by Area													
Employment	19%	11%	8%	5%	2%								<b>9</b> %
Housing (Real Estate)	0%	6%	0%	0%	0%								2%
Public Accommodation	10%	2%	9%	0%	2%								5%
Credit	0%	0%	0%	0%	0%								0%
Education	23%	13%	6%	11%	10%								13%
Open Cases by Area													
Employment	288	291	295	317	354								
Housing (Real Estate)	38	35	39	44	50								
Public Accommodation	61	63	59	68	75								
Credit	0	0	0	0	0								
Education	20	22	25	27	28								

## Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Number of Cases Closed	39	53	45	31	27								195
Employment	26	38	30	20	17								131
Housing (Real Estate)	12	9	6	5	7								39
Public Accommodation	1	6	8	4	1								20
Education	0	0	1	2	2								5
Credit	0	0	0	0	0								0
Type of Closure													
NPC	21	39	28	21	18								127
CWS	9	10	13	6	5								43
CW	2	3	2	2	1								10
AD	3	1	0	2	3								9
FO	4	0	2	0	0								6

## Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Probable/Reasonable Cause Findings	1	5	6	6	3								21
Employment	1	5	2	0	2								10
Housing (Real Estate)	0	0	1	1	0								2
Public Accommodation	0	0	3	4	1								8
Education	0	0	0	1	0								0
Credit	0	0	0	0	0								0
Active Cases													
Employment	31	33	32	33	34								
Housing (Real Estate)	14	15	14	14	14								
Public Accommodation	8	8	8	8	8								
Education	5	5	5	5	5								
Credit	0	0	0	0	0								
Average Age of Cases since NOF*	430	429	462	439	458								

<sup>\*</sup>NOF (Notice of Finding). This includes cases that are now pending in state court.

### Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Hayes, S. v. Seva is an employment case based on race. Complainant alleged that she was terminated due to her race.

**Ullmer, S. v. North Central Industries, Inc.** is an employment case based on disability. Complainant alleged that she was denied a reasonable accommodation and was terminated due to her disability.

**Johnson**, **L. v. Harbor Freight Tools** is a public accommodation case based on race. Complainant alleged that he was denied equal access to Respondent's goods and services due to his race.

#### **Final Orders**

This section provides information on cases that receive Final Orders by The Commission.

#### N/A

#### **Articles of Interest:**

Appeals court rules against Fishers home-school group in discrimination complaint (May 30, 2013, Indianapolis Star)

http://www.indystar.com/article/20130530/NEWS/305300041/Appeals-court-rules-against-Fishers-home-school-group-discrimination-complaint

State agency and IUPUI partner for cultural competency conference in health care (May 30, 2013, IUPUI Newsroom) http://news.iupui.edu/releases/2013/05/cultural-competency-mental-health-services.shtml

A year into the job, Metro Human Relations director resigns (May 23, 2013, News-Sentinel) http://www.news-sentinel.com/apps/pbcs.dll/article?AID=/20130523/NEWS/130529807/-1/LIVING

**BSU defends sex-discrimination lawsuit** (May 22, 2013, Muncie Star Press) http://www.thestarpress.com/article/20130523/NEWS01/305230017/Ball-State-lawsuit

ICRC announces details for June 28<sup>th</sup> CLE Seminar in Indianapolis (May 21, 2013, ICRC Newsroom) http://www.in.gov/icrc/2687.htm

EEOC's Jackson Office and Mexican Consulate Sign Historic Outreach Agreement (May 21, 2013, EEOC Newsroom) <a href="http://www.eeoc.gov/eeoc/newsroom/release/5-21-13a.cfm">http://www.eeoc.gov/eeoc/newsroom/release/5-21-13a.cfm</a>

**Civil Rights group sees spike in racial profiling complaints** (May 20, 2013, Indiana Public Broadcasting) <a href="http://indianapublicmedia.org/news/civil-rights-group-sees-spike-racial-profiling-complaints-49567/">http://indianapublicmedia.org/news/civil-rights-group-sees-spike-racial-profiling-complaints-49567/</a>

Pippa Mann encourages women to race beyond gender lines (May 20, 2013, The Indy Channel) http://www.theindychannel.com/sports/indianapolis-500/pippa-mann-encourages-women-to-join-sport-of-racing

HUD offices to close nationwide on Friday, May 24<sup>th</sup> (May 17, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press releases media advisories/2013/HUDNo.13-076

IU's minority recruiting falls short of college's goal (May 16, 2013, South Bend Tribune)

http://www.southbendtribune.com/news/sbt-ius-minority-recruiting-falls-short-of-colleges-goal-20130517,0,459181.story

Civil Rights Commission probes complaints about retail discrimination (May 16, 2013, Indianapolis Recorder)

http://www.indianapolisrecorder.com/news/article 87bcda4e-be36-11e2-909e-0019bb2963f4.html

Muncie fireworks company North Central Industries accused of discriminating against disabled worker (May 15, 2013, The Indy Channel)

http://www.theindychannel.com/news/local-news/muncie-fireworks-company-north-central-industries-accused-of-discriminating-against-disabled-worker

EEOC issues revised publications on the employment rights of people with specific disabilities (May 15, 2013, EEOC Newsroom)

http://eeoc.gov/eeoc/newsroom/release/5-15-13.cfm

Call 6 investigation finds federal law regarding service animals vague (May 14, 2013, RTV-6 News)

http://www.theindychannel.com/news/call-6-investigators/call-6-investigation-finds-federal-law-regarding-service-animals-vague

Indiana Department of Education Releases Graduation Rate Data (May 13, 2013, Indiana Department of Education)

http://www.doe.in.gov/news/indiana-department-education-releases-graduation-rate-data

Caught in the Act: Discrimination in retail examined (May 9, 2013, Indianapolis Recorder)

http://www.indianapolisrecorder.com/news/article 58e0d094-b8b0-11e2-bc2f-001a4bcf887a.html

Indianapolis Seva location faces allegations of racial profiling against an African American Male (May 8, 2013, ICRC Newsroom)

http://www.in.gov/icrc/2685.htm

Gov. encourages Hoosiers to pay tribute to former Gov. Bowen at Statehouse Memorial (May 7, 2013, Governor's Newsroom)

 $\underline{http://www.in.gov/activecalendar/EventList.aspx?view=EventDetails\&eventidn=98716\&information\_id=181087\&type=\&syndicate=syn$ 

Harbor Freight Tools USA accused of racial profiling against an African American male (May 7, 2013, ICRC Newsroom)

http://www.in.gov/icrc/2684.htm

Exec's interest in promoting inclusion leads to Multicultural Professionals Network (May 6, 2013, Evansville Courier & Press) http://www.courierpress.com/news/2013/may/06/with-open-arms/

Goshen stands by school's "Redskins" nickname (May 6, 2013, WTHR-13)

http://www.wthr.com/story/22174619/goshen-stands-by-schools-redskins-nickname

Jury awards \$240 million for long-term abuse of workers with intellectual disabilities (May 1, 2013, EEOC Newsroom) http://www.eeoc.gov/eeoc/newsroom/release/5-1-13b.cfm

EEOC wins jury verdict of more than \$20 million for sexual harassment and retaliation (May 1, 2013, EEOC Newsroom) <a href="http://www.eeoc.gov/eeoc/newsroom/release/5-1-13a.cfm">http://www.eeoc.gov/eeoc/newsroom/release/5-1-13a.cfm</a>